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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

UNITED STATES OF AMERICA,) CRIMINAL CASE NO. 03-00040
Plaintiff,)
vs.) PETITION TO REMIT SPECIAL
GODOFREDO RACADAG AGAWA,) ASSESSMENT FEE
Defendant.) [18 U.S.C. § 3573]

COMES NOW the United States of America, by and through its undersigned counsel, and respectfully petitions this Court pursuant to 18 U.S.C. § 3573 for the entry of an order remitting the unpaid special assessment fee earlier imposed upon Defendant GODOFREDO RACADAG AGAWA and in support hereof, states as follows:

1. On August 17, 2004, sentence was imposed by this Court against Defendant GODOFREDO RACADAG AGAWA. Among other things, a \$100.00 special assessment fee was ordered. The total amount now owed by said Defendant is \$100.00.

2. Upon information received from the United States Probation Office, the defendant, GODOFREDO RACADAG AGAWA, was deported to the Philippines on September 3, 2004.

3 No valid address is available for defendant.

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4. Section 3573 of Title 18, United States Code, as amended, provides in pertinent part as follows:

Upon petition by the Government showing that reasonable efforts to collect a fine or assessment are not likely to be effective, the court may, in the interest of justice --

(1) remit all or part of the unpaid portion of the fine or special assessment, including interest and penalties

6 5. The United States Attorney has determined that in light of Defendant's
7 deportation and unknown whereabouts, there is no reasonable likelihood that expending further
8 efforts to collect the special assessment fee and fine will produce any revenue to the United
9 States. To the contrary, any further efforts will needlessly expend resources that could be better
10 directed to areas with greater potential for recovery.

6. The interests of justice mitigate in favor of remission of the unpaid special assessment fee.

13 WHEREFORE, the United States of America respectfully requests that this Court
14 enter an order remitting the unpaid special assessment fee imposed upon Defendant
15 GODOFREDO RACADAG AGAWA.

DATED this 13th day of July, 2007.

LEONARDO M. RAPADAS
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Districts of Guam and NMI

By: /s/ Marivic P. David
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